

Extract from Area Plans East Dated 12 October 2011

APPLICATION No:	EPF/1570/11
SITE ADDRESS:	Jubilee Bungalow Bournebridge Lane Stapleford Abbots Essex RM4 1LT
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Mr H Spiro
DESCRIPTION OF PROPOSAL:	Replacement dwelling.
RECOMMENDED DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530129

REASON FOR REFUSAL

- 1 The proposed replacement dwelling would have a significantly larger volume than the existing dwelling on the site and as a result would be inappropriate development, detrimental to the open character and appearance of the surrounding Metropolitan Green Belt. The lawfully approved extensions are not considered a viable fallback position.. The development is therefore contrary to Policies CP2, GB2A, GB7A and GB15A of the adopted Local Plan and Alterations.

This application is before this Committee since it has been 'called in' by Councillor Collins (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.h.)

Description of Proposal:

The proposal is to demolish the existing dwelling on the site and replace it with a three bedroom dwelling. This would be a chalet style bungalow with a double storey glazed entrance. Two dormer windows would be inserted on the front roof plane. The building would have an external floor area of 14.4m x 9.2. There would also be a two storey rear projection to a depth of 3.6m. Solar panels would be installed on the rear roof slope. There is an existing access on to the public highway.

Description of Site:

The dwelling is located on an extensive site within the Metropolitan Green Belt. The existing building is in a relatively dilapidated state and uninhabited. The site is bordered on the western boundary by a public footpath, with a single storey dwelling the other side of this. There is no immediate neighbour to the eastern side of the dwelling. Although part of Bournebridge Lane is a built up enclave this section of the road is fairly open with arable farmland adjacent to the site and on the opposite side of the roadway. A garage/storage building approved under a Certificate of Lawful development application is currently under construction (EPF/2012/10).

Relevant History:

EPF/1915/09 - Demolition of existing bungalow and erection of a single detached dwelling. Refuse Permission - 06/01/2010.

EPF/1916/09 - Certificate of lawfulness for a proposed single storey extension to side and rear elevations and new front porch. Not Lawful - 10/12/2009.

EPF/0585/10 - Certificate of lawfulness for a proposed single storey extension to side and rear elevations and new front porch. Lawful - 20/05/2010.

EPF/1064/10 - Basement garage under existing house and proposed single storey side extension, and 3 no single storey side extensions. Refuse Permission (Householder) - 10/08/2010.

EPF/2012/10 - Certificate of lawful development for a proposed detached garage, gymnasium and garden machine store and permeable paths and vehicular drive. Lawful – 22/11/10.

EPF/2013/10 - Certificate of lawful development for a proposed loft conversion and single storey side and rear extensions and front porch. Lawful – 22/11/10.

Policies Applied:

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development

CP4 – Energy Conservation

CP5 – Sustainable Building

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE4 – Design in the Green Belt

DBE8 – Private Amenity Space

DBE9 – Excessive Loss of Amenity to Neighbouring Properties

ST1 – Location of Development

ST2 – Accessibility of Development

ST4 – Road Safety

ST6 – Vehicle Parking

H2A – Previously Developed Land

H4A – Dwelling Mix

GB2A – Development in the Green Belt

GB7A – Conspicuous Development

GB15A – Replacement Dwellings

LL11 – Landscaping Schemes

SUMMARY OF REPRESENTATIONS:

3 Neighbours Consulted and sit notice displayed – no replies received.

STAPLEFORD ABBOTTS PARISH COUNCIL: No Objection.

Issues and Considerations:

The main issues relate to the Green Belt location, design and neighbour amenity. The planning history of the site is another material consideration.

Impact on the Green Belt

The planning history of the site outlines details of a previously refused replacement dwelling and a number of applications for Certificates of Lawful Development (CLD). The garage building is currently under construction. Side and rear extensions and side dormer windows approved by CLD applications (EPF/0585/10, EPF/2013/10) are detailed on drawing number 2010/018/ PDO13.

The applicant describes as part of the submitted Design and Access Statement national and local plan policies with regards to replacement dwellings. Such development can be appropriate where the replacement building is not materially larger than the one it replaces. The applicant has submitted volume calculations for the existing building, the CLD extensions and the replacement dwelling. These are recorded below;

Existing Dwelling	455 cu m
Existing + CLD Extensions	715 cu m
Proposed Dwelling	762 cu m

The Local Planning Authority has completed similar calculations, these were recorded as;

Existing Dwelling	360 cu m
Existing + CLD Extensions	738 cu m
Proposed Dwelling	764 cu m

The figures show that for the existing + CLD extensions and proposed there is little discrepancy. However there is quite a difference for the existing dwelling. The applicant has justified the proposal with regards to the permitted development extensions that have been approved and could be constructed. The increase over the original volume (360 cu m) is not justifiable under any local or national policies. The increase of 112% is unacceptable and beyond what could ever be reasonably classed as “not materially larger”.

The applicant has laid out a case for this development in lieu of what could be done as permitted development, effectively a fallback position. Local Planning Authorities have a duty to consider a fallback position, however this must be rationalised. The weight given to a fallback depends on the real likelihood of any fallback actually being exercised in the event of a refusal. The planning law position is that the test must be made on the balance of probabilities as opposed to the balance of possibilities.

The design of these extensions was evidently an attempt to maximise the permitted development allowance. Members are asked to consider the design of the proposed extensions carefully, as detailed in drawing No 2010/018/PDO13. The extensions appear on plan as bland, featureless, bulky additions. No basic design principles have been followed. Traditionally extensions to dwellings should act as subsidiary additions. These extensions dominate the original dwelling. This viewpoint is supported by the agent of the applicant for the proposal, who states that, “the permitted development extensions would be out of scale, the front and rear elevations would be too wide and the flat roofed dormers would appear over large”. The Local Planning Authority would not dissent from this view. It is therefore considered that on the balance of probabilities these extensions do not offer a viable fallback position. Members may adopt a view to the contrary, essentially that the proposed scheme would be “the lesser of two evils”.

Notwithstanding these previous points the dwelling is small and perhaps is not conducive to modern day living. The height, bulk and scale of the proposal is much more visually prominent than both the existing building and the CLD extended dwelling, and runs contrary to Green Belt policy. However a well designed dwelling with a volume of circa 500 cu m would be acceptable, approximately a 40% increase. Members may take the view that the current increase is acceptable.

Design

The proposed design includes a glazed front entrance porch which extends to the ridge level of the dwelling. This is a design feature often incorporated into barn conversions and results from the utilisation of original openings. The front feature raises no serious design issues and is more a

personal preference. The dormer windows are proportionate and well designed. The proposed design includes a relatively bulky two storey rear projection. The balcony offers some feature. Again this element of the scheme raises no serious design issues. The use of vernacular materials, which could be agreed by condition, would ensure that this development would not appear out of place in this setting.

Amenity

The property has only got one immediate neighbour, on the western side. The replacement dwelling would retain a good gap to the well screened boundary. Overlooking from side facing windows would not be a serious issue and the adjacent property is served by a generous rear garden which would remain private.

Trees/Landscaping

There are no trees or landscaping issues subject to conditions ensuring tree protection details for a large oak tree close to the boundary of the site and a suitable landscaping scheme.

Parking/Road Safety

The proposed development would make use of an existing access to the site and a double garage approved as a Certificate of Lawful Development would provide adequate parking. The public right of way would be unaffected so this aspect of the scheme raises no issues.

Land Drainage

The Land Drainage section of the Council has requested a Flood Risk Assessment, to be agreed by condition, on any approved scheme owing to the size of the development and the potential to create additional surface run off.

Sustainable Building

The inclusion of solar panels is a laudable element of the development which complies with sustainable building practices as encouraged in Policy CP5 of the adopted Local Plan, but this does not outweigh the recognised Green Belt harm.

Conclusion:

The proposed development represents an excessive increase over the original dwelling on the site. This is deemed inappropriate. The approved CLD extensions have been used as justification for the size of this proposed building. It is not considered that these represent a viable fallback position, on the balance of probabilities. Therefore, by reason of the excessive increase in volume, this development is considered inappropriate in Green Belt terms and recommended for refusal.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

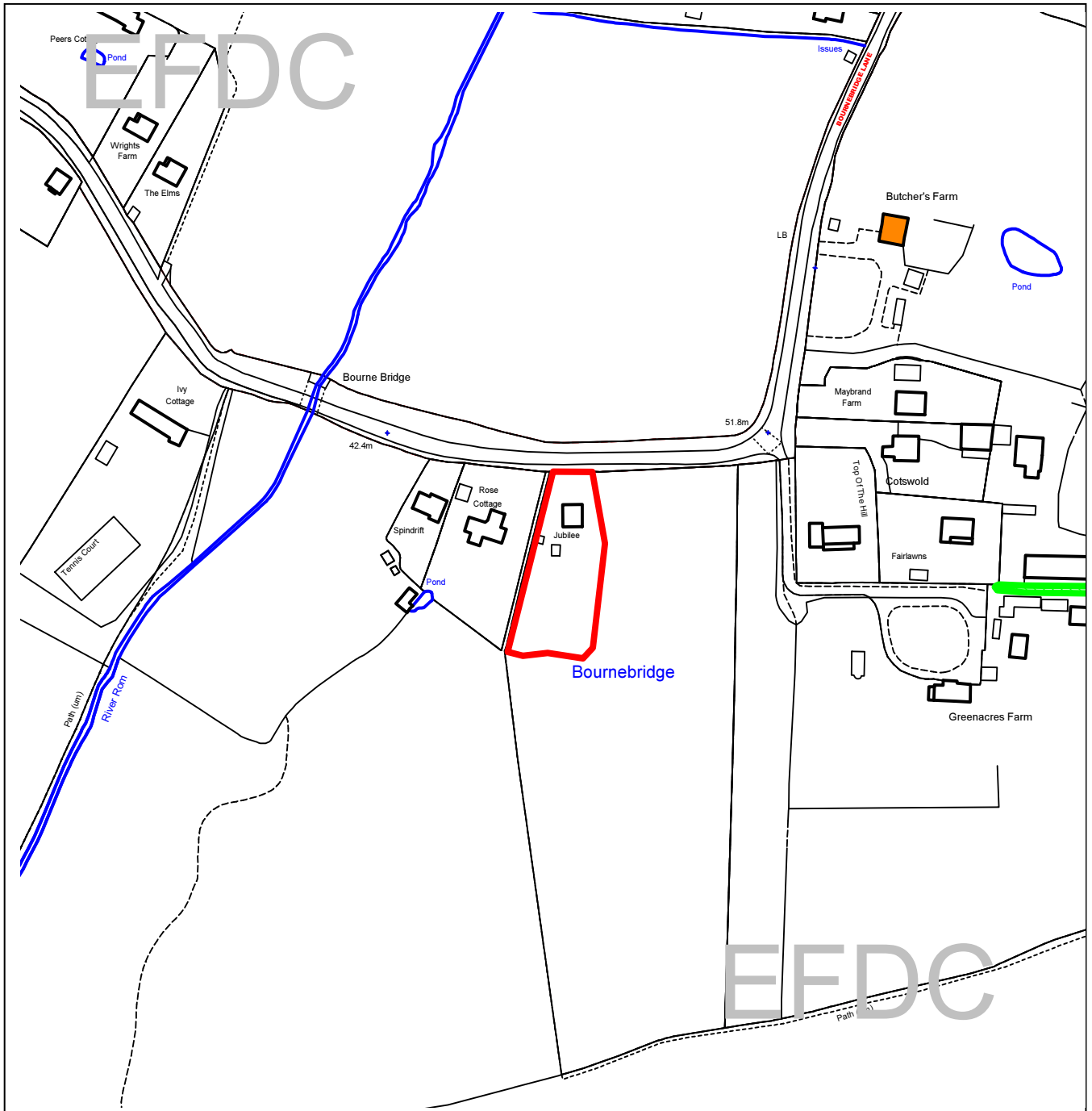
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	4
Application Number:	Epf/1570/11
Site Name:	Jubilee Bungalow, Bournebridge Lane Stapleford Abbots, RM4 1LT
Scale of Plot:	1/2500